Exhibit D

Infringement of Claim 1 of U.S. Patent Number 7,088,854 by Qmetrics

CLAIM LANGUAGE	Infringing Application
1. A computer program product for generating special-purpose image analysis algorithms comprising: a computer usable medium having computer readable program code embodied therein, said computer readable program code configured to:	Announcing DiscernAI™...Improving Clinical Trials by SEEING MORE Qmetrics can uncover important data insights by ***seeing more***. Whether it is automatically segmenting hard-to-detect features of the knee or leveraging machine learning to detect early mild cognitive impairment in the brain, Qmetrics expertise is unique in the industry. Now, Qmetrics is pleased to announce its new service, **DiscernAI™**. *DiscernAI* improves data analyses through the use of artificial intelligence (AI) and machine learning (ML). *DiscernAI*'s data mining platform includes proprietary software and a growing catalogue of machine learning-based "signatures." The *DiscernAI* platform has been developed over many years by Qmetrics' imaging and data science experts. **By using *DiscernAI* to *see more*, Qmetrics brings unique value to biopharma and CROs, allowing the discovery of unique subject characteristics using advanced machine learning techniques on clinical data and images to improve clinical trials.** ***DiscernAI Signatures*** are a set of quantified clinical, genetic, and post-processed imaging features that identify unique patient characteristics, disease states, or treatment responses. These *DiscernAI Signatures* have been previously discovered and validated, and can be applied to existing data without additional machine learning. http://web.qmetricstech.com/qmetrics/discernai/ Qmetrics imaging technology ("Infringing Product") is a computer program product for generating image analysis.

Exhibit D

obtain at least one image having a plurality of chromatic data points;	Announcing DiscernAI™...Improving Clinical Trials by SEEING MORE Qmetrics can uncover important data insights by ***seeing more***. Whether it is automatically segmenting hard-to-detect features of the knee or leveraging machine learning to detect early mild cognitive impairment in the brain, Qmetrics expertise is unique in the industry. Now, Qmetrics is pleased to announce its new service, **DiscernAI™**. *DiscernAI* improves data analyses through the use of artificial intelligence (AI) and machine learning (ML). *DiscernAI*'s data mining platform includes proprietary software and a growing catalogue of machine learning-based "signatures." The *DiscernAI* platform has been developed over many years by Qmetrics' imaging and data science experts. **By using *DiscernAI* to *see more*, Qmetrics brings unique value to biopharma and CROs, allowing the discovery of unique subject characteristics using advanced machine learning techniques on clinical data and images to improve clinical trials.** ***DiscernAI Signatures*** are a set of quantified clinical, genetic, and post-processed imaging features that identify unique patient characteristics, disease states, or treatment responses. These *DiscernAI Signatures* have been previously discovered and validated, and can be applied to existing data without additional machine learning. http://web.qmetricstech.com/qmetrics/discernai/ The Infringing Product takes an image.

Exhibit D

generate an evolving algorithm that partitions said plurality of chromatic data points within said at least one image into at least one entity identified in accordance with a user's judgment; and	Announcing DiscernAI™...Improving Clinical Trials by SEEING MORE Qmetrics can uncover important data insights by ***seeing more***. Whether it is automatically segmenting hard-to-detect features of the knee or leveraging machine learning to detect early mild cognitive impairment in the brain, Qmetrics expertise is unique in the industry. Now, Qmetrics is pleased to announce its new service, **DiscernAI™**. *DiscernAI* improves data analyses through the use of artificial intelligence (AI) and machine learning (ML). *DiscernAI*'s data mining platform includes proprietary software and a growing catalogue of machine learning-based "signatures." The *DiscernAI* platform has been developed over many years by Qmetrics' imaging and data science experts. **By using *DiscernAI* to *see more*, Qmetrics brings unique value to biopharma and CROs, allowing the discovery of unique subject characteristics using advanced machine learning techniques on clinical data and images to improve clinical trials.** ***DiscernAI Signatures*** are a set of quantified clinical, genetic, and post-processed imaging features that identify unique patient characteristics, disease states, or treatment responses. These *DiscernAI Signatures* have been previously discovered and validated, and can be applied to existing data without additional machine learning. http://web.qmetricstech.com/qmetrics/discernai/ The Infringing Product generates an algorithm based on user manual annotation of objects of interest thereby training the algorithm.

Exhibit D

store a first instance of said evolving algorithm as a product algorithm wherein said product algorithm enables the automatic classification of instances of said at least one entity within at least one second image in accordance with said judgment of said user.	Announcing DiscernAI™...Improving Clinical Trials by SEEING MORE Qmetrics can uncover important data insights by ***seeing more***. Whether it is automatically segmenting hard-to-detect features of the knee or leveraging machine learning to detect early mild cognitive impairment in the brain, Qmetrics expertise is unique in the industry. Now, Qmetrics is pleased to announce its new service, **DiscernAI™**. *DiscernAI* improves data analyses through the use of artificial intelligence (AI) and machine learning (ML). *DiscernAI*'s data mining platform includes proprietary software and a growing catalogue of machine learning-based "signatures." The *DiscernAI* platform has been developed over many years by Qmetrics' imaging and data science experts. **By using *DiscernAI* to *see more*, Qmetrics brings unique value to biopharma and CROs, allowing the discovery of unique subject characteristics using advanced machine learning techniques on clinical data and images to improve clinical trials.** ***DiscernAI Signatures*** are a set of quantified clinical, genetic, and post-processed imaging features that identify unique patient characteristics, disease states, or treatment responses. These *DiscernAI Signatures* have been previously discovered and validated, and can be applied to existing data without additional machine learning. http://web.qmetricstech.com/qmetrics/discernai/ The Infringing Product stores the evolving algorithm and runs the stored algorithm on all the data to automatically classify additional image of similar type/requirement.